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EXAMINER
DANIELS, ANTHONY J

ART UNIT	PAPER NUMBER
2615	

DATE MAILED: 05/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☑ Responsive to communication(s) filed on _16 March 2005_.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _16 March 2005_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☐ All b)☐ Some * c)☐ None of:

　　　　1.☐ Certified copies of the priority documents have been received.

　　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   The amendments, filed 3/16/2005, have been entered and made of record. Claims 1-20 are pending.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3.   Claims 1,2,15,17,19 are rejected under 35 U.S.C. 102(e) as being anticipated by Mancuso et al. (US # 6,771,304).

As to claim **1**, Mancuso et al. teaches a digital camera (Figure 1) comprising: a photographing unit which picks-up an image and obtains image data (Figure 1, imager "106"; Col. 7, Lines 26-28); a storage control unit (Figure 1, ST-20/SH3-DSP "134") which stores the image data in the form of an image data file in a predetermined manner in a recording medium (Col. 7, Lines 52-58); a reconstruction control unit (Figure 1, ST-20/SH3-DSP "134") which reconstructs the image data stored in said recording medium (*It is inherent that the processor retrieves the image data stored in the flash memory to be sent to the picture stitching device*); an image data processing unit (Figure 1, picture stitching device "124") which combines the image

data picked-up by said photographing unit and the image data reconstructed by said

reconstruction control unit to produce an image data (*The image data picked-up and the image*

data reconstructed are the same.), and makes said recording medium store the produced image

data (Col. 9, Lines 22-26); a display unit which displays the images (Figure 1, LCD "126"); a

display control unit (Figure 1, frame buffers "122") which makes said display unit

simultaneously display the image data obtained by said photographing unit for monitoring and

the image data reconstructed by said reconstruction control unit, or which makes said display

unit display the image data produced by said image data processing unit (Col. 8 Lines 56-67;

Col. 9, Lines 1-50); and an operational instruction inputting unit which provides operational

instruction signals to said photographing unit, said storage control unit, said image data

processing unit, and said display control unit (Figure 1, LCD controller "128"; *{It is inherent that*

a shutter button exists to initiate image capture, which in turn controls the photographing unit to

take the picture, the storage control unit to save the data, and the picture stitching device to

stitch the images.}); wherein said operation instruction signals include connection position

instructions input by a user to connect said image data (Col. 8, Lines 56-61).

As to claim **2**, Mancuso et al. teaches the digital camera according to claim 1, wherein

said operation instruction inputting unit can designate a portion of the image data where the

images are to be combined (Col. 8, Lines 56-61; *{Choosing a horizontal panoramic invokes the*

preview strip (Figure 6, "602") to be in a vertical position.}).

As to claim **15**, the limitations of claim 15 can be found in claim 1. Therefore, claim 15 is

analyzed and rejected as previously discussed with respect to claim 1.

As to claim **17**, claim 17 is a method claim corresponding to the apparatus claim 1. Therefore, claim 17 is analyzed and rejected as previously discussed with respect to apparatus claim 1.

As to claim **19**, Mancuso et al. teaches a mobile terminal (Figure 1) comprising: a photographing unit which picks-up an image and obtains image data (Figure 1, imager "106"; Col. 7, Lines 26-28); a storage control unit (Figure 1, ST-20/SH3-DSP "134") which stores the image data in the form of an image data file in a predetermined manner in a recording medium (Col. 7, Lines 52-58); a reconstruction control unit (Figure 1, ST-20/SH3-DSP "134") which reconstructs the image data stored in said recording medium (*It is inherent that the processor retrieves the image data stored in the flash memory to be sent to the picture stitching device*); an image data processing unit (Figure 1, picture stitching device "124") which combines the image data picked-up by said photographing unit and the image data reconstructed by said reconstruction control unit to produce an image data (*The image data picked-up and the image data reconstructed are the same.*), and makes said recording medium store the produced image data (Col. 9, Lines 22-26); a display unit which displays the images (Figure 1, LCD "126"); a display control unit (Figure 1, frame buffers "122") which makes said display unit simultaneously display the image data obtained by said photographing unit for monitoring and the image data reconstructed by said reconstruction control unit, or which makes said display unit display the image data produced by said image data processing unit (Col. 8 Lines 56-67; Col. 9, Lines 1-50); and an operational instruction inputting unit which provides operational instruction signals to said photographing unit, said storage control unit, said image data processing unit, and said display control unit (Figure 1, LCD controller "128"; *{It is inherent that*

a shutter button exists to initiate image capture, which in turn controls the photographing unit to take the picture, the storage control unit to save the data, and the picture stitching device to stitch the images.}); wherein said operation instruction signals include connection position instructions input by a user to connect said image data (Col. 8, Lines 56-61).

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1,3-6,15,17,19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miyatake et al. (US # 6,466,262) in view of Mancuso et al. (US # 6,771,304).

As to claim 1, Miyatake et al. teaches a digital camera (see Figure 1) comprising: a photographing unit, which picks-up an image and obtains image data (see Figure 1, image sensing device "102"); a storage control unit which stores the image data in the form of an image data file in a predetermined manner (see Figure 1, CPU "112"; Col. 4, Lines 25-41) in a recording medium (see Figure 1, external storage device "110"; see Col. 4, Lines 25-41, or memory "114-2"; see Col. 5, Lines 15-19); a reconstruction control unit which reconstructs the image data stored in said recording medium (see Figure 1, camera control program "114-1"; Col. 5, Lines 14-18; *{memory "114-2" is also considered part of the recording medium.})*; an image data processing unit (see Figure 1, camera control program "114-1") which combines the image data picked-up by said photographing unit and the image data reconstructed by said reconstruction control unit (see Figure 5; *{The image data reconstructed and the image data taken from the photographing unit are the same; the data is just sent to different memory*

locations; the data is reconstructed in a way that the stored information in memory "114-2" is retrieved by the camera control program and is made ready for combination (see Col. 5, Lines 15-19).}) to produce an image data (see Figure 1, wide image "122"), and makes said recording medium store the produced image data (see Col. 5, Lines 20-23); a display unit which displays the images (see Figure 1, display "120"); a display control unit which makes said display unit simultaneously display the image data obtained by said photographing unit for monitoring and the image data reconstructed by said reconstruction control unit, or which makes said display unit display the image data produced by said image data processing unit (see Figure 1, video memory "116", D/A Converter "118"; Col. 4, Lines 47-56) ***(It is noted that the USPTO considers Applicant's "or" language to be anticipated by any reference containing one of the corresponding subsequent elements)***; and an operational instruction inputting unit which provides operational instruction signals to said photographing unit, said storage control unit, said image data processing unit, and said display control unit (see Figure 1, Input I/F "123"; Col. 5, Lines 7-12). The claim differs from Miyatake et al. in that it further requires that the operation instruction signals include connection position instructions input by a user to connect said image data.

In the same field of endeavor, Mancuso et al. teaches an LCD controller for a digital camera for inputting instructions on whether she/he/it wishes to connect the images in a horizontal or vertical panoramic before the acquisition of images by the digital camera (Col. 8, Lines 56-61). *Examiner concedes that a combination of Miyatake et al. with a reference that teaches user instructed image connection after the capturing of image data would teach away from real-time image stitching, but upon finding Mancuso et al., the instructing of the camera on*

*a connection position **before** the real-time image stitching takes place is believed to be a valid*

combination. In light of the teaching of Mancuso et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to include the ability of the operation

instruction signals of Miyatake et al. to instruct the camera to connect in a vertical or horizontal

panoramic, because an artisan of ordinary skill in the art would recognize that this would allow

the user to connect the images in the format of her/his desire, or if the scene calls for such a

panoramic.

As to claim **3**, Miyatake et al., as modified by Mancuso et al., teaches the digital camera

according to claim 1, wherein said operational instruction inputting unit can designate whether

the image data is to be displayed in enlarged or reduced manner (see Col. 5, Lines 43-47).

As to claim **4**, Miyatake et al., as modified by Mancuso et al., teaches the digital camera

according to claim 1, wherein said operational instruction inputting unit includes a touch panel

(see Col. 5, Lines 7-11).

As to claim **5**, Miyatake et al. teaches the digital camera according to claim 1, wherein

said image data processing unit can combine a plurality of the image data recorded in said

recording medium (see Col. 5, lines 13-19).

As to claim **6**, Miyatake et al. teaches the digital camera according to claim 5, wherein

said image data processing unit can perform swing and/or tilt correction when combining a

plurality of the image data stored in said recording medium (see Col. 6, Lines 21-49).

As to claim **15**, the limitations of claim 15 can be found in claim 1. Therefore, claim 15 is

analyzed and rejected as previously discussed with respect to claim 1.

As to claim **17**, claim 17 is a method claim corresponding to the apparatus claim 1. Therefore, claim 17 is analyzed and rejected as previously discussed with respect to apparatus claim 1.

As to claim **19**, Miyatake et al. teaches a mobile terminal (see Figure 2) comprising: a photographing unit, which picks-up an image and obtains image data (see Figure 1, image sensing device "102"); a storage control unit which stores the image data in the form of an image data file in a predetermined manner (see Figure 1, CPU "112"; Col. 4, Lines 25-41) in a recording medium (see Figure 1, external storage device "110"; see Col. 4, Lines 25-41, or memory "114-2"; see Col. 5, Lines 15-19); a reconstruction control unit which reconstructs the image data stored in said recording medium (see Figure 1, camera control program "114-1"; Col. 5, Lines 14-18; *{memory "114-2" is also considered part of the recording medium.}*); an image data processing unit (see Figure 1, camera control program "114-1") which combines the image data picked-up by said photographing unit and the image data reconstructed by said reconstruction control unit (see Figure 5; *{The image data reconstructed and the image data taken from the photographing unit are the same; the data is just sent to different memory locations; the data is reconstructed in a way that the stored information in memory "114-2" is retrieved by the camera control program and is made ready for combination (see Col. 5, Lines 15-19).}*) to produce an image data (see Figure 1, wide image "122"), and makes said recording medium store the produced image data (see Col. 5, Lines 20-23); a display unit which displays the images (see Figure 1, display "120"); a display control unit which makes said display unit simultaneously display the image data obtained by said photographing unit for monitoring and the image data reconstructed by said reconstruction control unit, or which makes said display

unit display the image data produced by said image data processing unit (see Figure 1, video memory "116", D/A Converter "118"; Col. 4, Lines 47-56) *(It is noted that the USPTO considers Applicant's "or" language to be anticipated by any reference containing one of the corresponding subsequent elements)*; and an operational instruction inputting unit which provides operational instruction signals to said photographing unit, said storage control unit, said image data processing unit, and said display control unit (see Figure 1, Input I/F "123"; Col. 5, Lines 7-12). The claim differs from Miyatake et al. in that it further requires that the operation instruction signals include connection position instructions input by a user to connect said image data.

In the same field of endeavor, Mancuso et al. teaches an LCD controller for a digital camera for inputting instructions on whether she/he/it wishes to connect the images in a horizontal or vertical panoramic before the acquisition of images by the digital camera (Col. 8, Lines 56-61). *Examiner concedes that a combination of Miyatake et al. with a reference that teaches user instructed image connection after the capturing of image data would teach away from real-time image stitching, but upon finding Mancuso et al., the instructing of the camera on a connection position **before** the real-time image stitching takes place is believed to be a valid combination.* In light of the teaching of Mancuso et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to include the ability of the operation instruction signals of Miyatake et al. to instruct the camera to connect in a vertical or horizontal panoramic, because an artisan of ordinary skill in the art would recognize that this would allow the user to connect the images in the format of her/his desire, or if the scene calls for such a panoramic.

5.   Claims 8,10-13,16,18,20 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Fukushima et al. (US # 5,903,303) in view of Mancuso et al. (US # 6,771,304).

As to claim **8**, Fukushima et al. teaches a digital camera (see Figure 1) comprising: a

photographing unit, which picks-up an image and obtains image data (see Figure 1, CCD

"10R"); a storage control unit which stores the image data in the form of an image data file in a

predetermined manner (see Figure 1, memory controller "17"; Col. 3, Lines 38,39) in a recording

medium (see Figure 1, memory "16"); a reconstruction control unit which reconstructs the image

data stored in said recording medium (see Figure 1, memory controller "17"; Col. 3, Lines

38,39); an image data processing unit (see Figure 1, "18") which combines the image data

picked-up by said photographing unit and the image data reconstructed by said reconstruction

control unit (see Col. 3, Lines 39-41; *{The image data reconstructed and the image data taken*

from the photographing unit are the same; the data is reconstructed in a way that the stored

information in memory "16" is retrieved by the memory controller and is made ready for

combination.}) to produce an image data (see Col. 3, Lines 39-41, *{The combination of left and*

right images is the output signal.}), and makes said recording medium store the produced image

data (see Col. 3, Lines 47-49); a display unit which displays the images (see Figure 1, EVF

"20"); a display control unit which makes said display unit simultaneously display the image

data obtained by said photographing unit for monitoring and the image data reconstructed by said

reconstruction control unit, or which makes said display unit display the image data produced by

said image data processing unit (see Figure 1, reconstructing process "19"; Col. 3, Lines 42-46);

and an operational instruction inputting unit which provides operational instruction signals to

said photographing unit, said storage control unit, said image data processing unit, and said

display control unit (see Figure 1, switches "2" and "3"; Col. 3, Lines 12-17); wherein said

photographing unit includes a plurality of CCDs (see Figure 1, CCDs "10R" and "10L"), which

simultaneously picks-up an image of same or a plurality of objects and obtains a plurality of

image data (see Figure 1, A/D Converters "15R" and "15L"), and said display control unit can

make said display unit simultaneously display the plurality of image data obtained by said

photographing unit (see Col. 3, Lines 45-47). The claim differs from Fukushima et al. in that it

further requires that the operation instruction signals include connection position instructions

input by a user to connect said image data.

In the same field of endeavor, Mancuso et al. teaches an LCD controller for a digital

camera for inputting instructions on whether she/he/it wishes to connect the images in a

horizontal or vertical panoramic before the acquisition of images by the digital camera (Col. 8,

Lines 56-61). In light of the teaching of Mancuso et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to include the ability of the operation

instruction signals of Fukushima et al. to instruct the camera to connect in a vertical or horizontal

panoramic, because an artisan of ordinary skill in the art would recognize that this would allow

the user to connect the images in the format of her/his desire, or if the scene calls for such a

panoramic.

As to claim 10, Fukushima et al., as modified by Mancuso et al., teaches the digital

camera according to claim 8, wherein said image data processing unit can perform color

correction for each of the plurality of image data (see Col. 3, Lines 39-42).

As to claim **11**, Fukushima et al., as modified by Mancuso et al., teaches a digital camera according to claim 8, wherein said photographing unit can simultaneously obtain a plurality of images of the same object at different zooming ratios (see Col. 3, Lines 26,27; *{Since two different drive portions are controlling zoom drive, is inherent that the zooming ratios are different from each other.}*).

As to claim **12**, Fukushima et al., as modified by Mancuso et al., teaches a digital camera according to claim 8, wherein said photographing unit can simultaneously obtain a plurality of images of the same object at different shutter speeds (see Col. 4, Lines 41-50, *{If the other pick-up system is controlled to become equal, the shutter speeds must have been different when taken.}*).

As to claim **13**, Fukushima et al., as modified by Mancuso et al., teaches a digital camera according to claim 8, wherein said photographing unit can simultaneously obtain a plurality of images of the same object at different exposure values (see Col. 4, Lines 41-50, *{If the other pick-up system is controlled to become equal, the exposure values must have been different when taken.}*).

As to claim **16**, the limitations of claim 16 can be found in claim 8. Therefore, claim 16 is analyzed and rejected as previously discussed with respect to claim 8.

As to claim **18**, claim 18 is a method claim corresponding to the apparatus claim 8. Therefore, claim 18 is analyzed and rejected as previously discussed with respect to apparatus claim 8.

As to claim **20**, Fukushima et al. teaches a mobile terminal (see Figure 1) comprising: a photographing unit, which picks-up an image and obtains image data (see Figure 1, CCD

"10R"); a storage control unit which stores the image data in the form of an image data file in a

predetermined manner (see Figure 1, memory controller "17"; Col. 3, Lines 38,39) in a recording

medium (see Figure 1, memory "16"); a reconstruction control unit which reconstructs the image

data stored in said recording medium (see Figure 1, memory controller "17"; Col. 3, Lines

38,39); an image data processing unit (see Figure 1, "18") which combines the image data

picked-up by said photographing unit and the image data reconstructed by said reconstruction

control unit (see Col. 3, Lines 39-41; *{The image data reconstructed and the image data taken*

from the photographing unit are the same; the data is reconstructed in a way that the stored

information in memory "16" is retrieved by the memory controller and is made ready for

combination.}) to produce an image data (see Col. 3, Lines 39-41, *{The combination of left and*

right images is the output signal.}), and makes said recording medium store the produced image

data (see Col. 3, Lines 47-49); a display unit which displays the images (see Figure 1, EVF

"20"); a display control unit which makes said display unit simultaneously display the image

data obtained by said photographing unit for monitoring and the image data reconstructed by said

reconstruction control unit, or which makes said display unit display the image data produced by

said image data processing unit (see Figure 1, reconstructing process "19"; Col. 3, Lines 42-46,);

and an operational instruction inputting unit which provides operational instruction signals to

said photographing unit, said storage control unit, said image data processing unit, and said

display control unit (see Figure 1, switches "2" and "3"; Col. 3, Lines 12-17); wherein said

photographing unit includes a plurality of CCDs (see Figure 1, CCDs "10R" and "10L"), which

simultaneously picks-up an image of same or a plurality of objects and obtains a plurality of

image data (see Figure 1, A/D Converters "15R" and "15L"), and said display control unit can

make said display unit simultaneously display the plurality of image data obtained by said

photographing unit (see Col. 3, Lines 45-47). The claim differs from Fukushima et al. in that it

further requires that the operation instruction signals include connection position instructions

input by a user to connect said image data.

In the same field of endeavor, Mancuso et al. teaches an LCD controller for a digital

camera for inputting instructions on whether she/he/it wishes to connect the images in a

horizontal or vertical panoramic before the acquisition of images by the digital camera (Col. 8,

Lines 56-61). In light of the teaching of Mancuso et al., it would have been obvious to one of

ordinary skill in the art at the time the invention was made to include the ability of the operation

instruction signals of Fukushima et al. to instruct the camera to connect in a vertical or horizontal

panoramic, because an artisan of ordinary skill in the art would recognize that this would allow

the user to connect the images in the format of her/his desire, or if the scene calls for such a

panoramic.

6.   Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyatake et al. in

view of Mancuso et al. in view of Fukushima et al. (see Patent Numbers above).

As to claim 7, Miyatake et al., as modified by Mancuso et al., teaches the digital camera

according to claim 5 (see 102(b) rejection above), which contains an image data processing unit.

The claim differs from Miyatake et al., as modified by Mancuso et al., in that it requires the

processor to perform color correction when combining a plurality of the image data stored in said

recording medium.

In the same field of endeavor, Fukushima et al. teaches a processor that perform color processing on the plurality of images (see Col. 3, Lines 39-42). In light of the teaching of Fukushima et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the processor of Miyatake et al., as modified by Mancuso et al., to include color processing. Such a modification would allow the pictures attain the same color information before combining. With different color information, a panoramic image would not be consistent in color.

7.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima et al. in view of Mancuso et al. in view of Miyatake et al. (see Patent Numbers above).

As to claim **9**, Fukushima et al., as modified by Mancuso et al., teaches the digital camera according to claim 8, wherein an image data processing unit can combine a plurality of image data (see claim 8 rejection). The claim differs from Fukushima et al., as modified by Mancuso et al., in that it requires simultaneous displaying the plurality of the image data.

In the same field of endeavor, Miyatake et al. teaches simultaneous displaying and combination of the image data (see Col. 5, Lines 51-55). In light of the teaching of Miyatake et al., it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Fukushima et al., as modified by Mancuso et al., to include the simultaneous display and combination of the image data. Such a modification would make it possible to quickly confirm the connection of the images and to prevent failure in forming a panoramic image (see Miyatake et al., Col. 5, Lines 55-57).

8.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Fukushima et al.

in view of Mancuso et al. (see Patent Numbers above).

        As to claim **14**, Fukushima et al., as modified by Mancuso et al., fails to teach a plurality

of images taken of the same object by said photographing unit, which have a different white

balance values. **Official Notice** is taken that both the concept and the advantages of taking

images of different white balance values are well known and expected in the art. In order to

achieve a white balance calculation, two images of distinctly different illuminations are taken,

providing having different white balance values. It would have been obvious to one of ordinary

skill in the art to take different white balance values, because an image, taken, used to calibrate

white balance for another image will not produce a natural picture if it contains the same white

balance value.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Daniels whose telephone number is (571) 272-7362. The examiner can normally be reached on 8:00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jim Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AD
5/12/2005

NGOC-YEN VU
PRIMARY EXAMINER